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| 09/193,565      | 11/17/1998  | JAY PAUL DRUMMOND    | D1077+2             | 2182             |

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 05/07/2002

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 14

Application Number: 09/193,565

Filing Date: 11/17/1998

Appellant(s): Drummond et al.

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Ralph E. Jocke  
For Appellant

**EXAMINER'S ANSWER**

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Technology Center 2100

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This is in response to appellant's brief on appeal filed 02/19/2002.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows: *Claims 1-6, 13, 14 and 17-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anderson et al. (U.S. pat. No. 5,706,442), paper No. 11, claims 15 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anderson et al. (U.S. pat. No. 5,706,442), paper No. 11, and claims 7-12 are rejected under 35 U.S.C. 102 (e) as being anticipated by Anderson et al. (U.S. pat. No. 5,706,442), paper No. 7.*

**(4) *Status of Amendments After Final***

No amendment after final has been filed.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

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The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

The rejection of claims 1-6 and 13-20 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

**(8) *Claims Appealed***

Claims 1-6 and 13-20 contain(s) substantial errors as presented in the Appendix to the brief. Accordingly, claims 1-20 correctly written in the Appendix to the examiner's answer.

**(9) *Prior Art of Record***

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,706,442

Anderson et al.

01/1998

**(10) *Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-6, 13, 14 and 17-20 rejected under 35 U.S.C. 103 (a). This rejection is set forth in prior Office action, Paper No. 11.

Claims 15 and 16 rejected under 35 U.S.C. 103 (a). This rejection is set forth in prior Office action, Paper No. 11.

Claims 7-9 rejected under 35 U.S.C. 103 (a). This rejection is set forth in prior Office action, Paper No. 7 and also Paper No. 11, Remarks, Page No. 6.

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Claims 10-12 rejected under 35 U.S.C. 102 (e). This rejection is set forth in prior Office action, Paper No. 7 and also Paper No. 11, Remarks, Page No. 6.

**(11) Response to Argument**

The rejection to claims 7-12 under 35 U.S.C. 102 (e) as being anticipated by Anderson et al (U.S. Pat. No. 5,706,442) as set forth in the Office action mailed 04/16/2001, paper No. 7 and also paper No. 11, page 6 is maintained.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-6, 13, 14 and 17-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable by Anderson et al. (U.S. Pat. No. 5,706,442).**

**As per claims 1, 13, 14, 17-20, Anderson** substantially discloses a system/method for accessing recent financial information from various financial services providers (which is equivalent to Applicant's claimed invention wherein said an automated transaction machine, see, abstract), including:

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at least one type of transaction function device, wherein the type transaction function device is selectively operative to carry out a transaction function (see., abstract, lines 2-5, or clients/servers);

a computer, wherein the computer is in operative connection with the transaction function device (see., abstract, lines 2-5, or clients/servers, clients/servers can also be or call computer, node, processor, or module, col 2, lines 33-67, fig 1);

software executable in the computer, wherein the software includes a browser, wherein the computer operates the browser to access an HTML document responsive to the type of the transaction function device in the machine (see., abstract , col 2, lines 33-67, col 4, lines 45-67, figs 1 and 2).

It is noted that **Anderson** does not explicitly detail the claimed feature of automating transaction machine located in a first location, wherein transaction function includes one available transaction function device to carry out different types of transaction function.

**However, Anderson** has stated that a financial information from various financial services providers. The system is based on a client/server architecture so that services are accessible from a variety of presentation tools. Communications between clients and servers are accomplished using interfaces that group operations and attributes for various services. This implication discloses the use of assisting the user or customer in any location (i.e a first or second location etc). The user is capable of accessing different kind or types data from different interface devices (see., Anderson, abstract, col 2, lines 33-67).

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Anderson system, wherein the financial information from various services providers thereof (Anderson, abstract, col 2, lines 33-67, col 4, lines 45-67) would incorporate the use of assisting the user or customer in any location (i.e a first or second location etc). The user is capable of accessing different kind or types data from different interface devices thereby filtering user or customer request, the motivation being to assist the user or customer in a common level.

**As per claims 2, 4, 5, Anderson** discloses the claimed limitation, wherein the machine includes a plurality of types of transaction function devices, and wherein the computer operates the browser to access the document by generating an address and wherein at least a portion of the address is indicative of at least one of the types of transaction function devices included in the machine (see., figs 1 and 2, col 4, lines 45-67, col 5, lines 1 and 2, clients/servers transactions).

**As per claims 3, 6, Anderson** discloses the claimed limitation, wherein the type transaction function device includes a depository (see., col 3, lines 7-16, col 5, lines 3-5, or firewall for security of applications).

***Claim Rejections - 35 USC § 103***

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**The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

**(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.**

**Claims 15 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anderson et al. (U.S. Pat. No. 5,706,442) in view of Official notice.**

**As per claims 15 and 16, Anderson** discloses a system for accessing recent financial information from various financial services providers (which is equivalent to Applicant's claimed invention wherein said an automated transaction machine, see, abstract), including: at least one type of transaction function device, wherein the type transaction function device is selectively operative to carry out a transaction function (see., abstract, lines 2-5, or clients/servers); a computer, wherein the computer is in operative connection with the transaction function device (see., abstract, lines 2-5, or clients/servers, clients/servers can also be or call computer, node, processor, or module, col 2, lines 33-67, fig 1); software executable in the computer, wherein the software includes a browser, wherein the computer operates the browser to access an HTML document responsive to the type of the transaction function device in the machine (see., abstract , col 2, lines 33-67, col 4, lines 45-67, figs 1 and 2). But he fails to specifically disclose an output device (such as a printer). However,



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**Examiner hereby takes Official notice** that output device or a printer is notoriously well known in the art, and therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an output device or a printer because an output device or a printer is a computer peripheral that puts text or a computer-generated image on paper or on another medium, such as a transparency.

#### **REMARKS**

In response to claims 10 and all subsequent, Applicant argues that the prior art of record does not teach: "providing a first and a second HTML documents". As specified by the Examiner in the Office action mailed on 4/16/2001, this limitation is disclosed by Anderson in col 2, lines 33-67, specifically, lines 41-47, first and second HTML documents are readable as wherein said the user is capable accessing through a number of presentation tools or users interfaces using HTML browsers, with the HTML browser the user can access a first and a second document. Also, the financial services of Anderson is equivalent to the automated transaction function devices of Applicant's claimed invention.

In response to claim 7 and all subsequent, Applicant argues that the prior art of record does not teach: "Anderson's ('442) distributed system can not constitute the recited machine nor can servers in Anderson constitute the recited transaction function devices". However, the Examiner respectfully disagrees because the client/server of Anderson is for financial transaction between users and

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customers such as bank, stock brokerages, credit card companies and so on. Furthermore, client/server can also be called transaction machine.

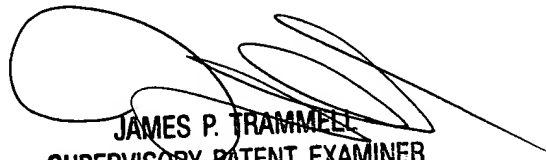
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Conferee *Pointed Plaintiff (3628)*  
Conferee *Sough (3621)*

Pierre Eddy Elisca

April 29, 2002

  
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